

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GENAPP.002RA

(020728.0101)

PATENT

Applicant	:	Gopal)	Group Art Unit: 1636
)	
Reissue Appl.	:	09/404,979)	
)	
Filed	:	September 22, 1999)	Declaration under
)	Under 37 C.F.R. § 1.131
For	:	PEPTIDE-MEDIATED)	
		GENE TRANSFER)	
)	
Examiner:		McKelvey, T.)	

Honorable Commissioner for Patents
Washington, D.C. 20231

DECLARATION UNDER 37 C.F.R. § 1.131

Dear Sir:

I, T. Venkat Gopal, Ph.D., hereby declare that:

1. I am the named inventor of the above-identified reissue application number 09/404,979.
2. I am the original, first, and sole inventor of the subject matter disclosed and claimed in the pending reissue application.
3. I understand that a rejection was made in the pending reissue application based on U.S. Patent No. 5,994,109 (filed June 3, 1995) and, alternatively, Smith et al. WIPO Application No. WO 93 18759 (published September 30, 1993).
4. As shown by the facts discussed in this declaration and the accompanying exhibits, the subject matter of the claims rejected in the pending reissue application was used for its intended purpose prior to the date September 30, 1993, the international application date of the Smith et al. reference.

*Considered
True
7/8/04*